

## REMARKS

The Office Action of August 3, 2004 has been carefully considered. Reconsideration of this application, as amended, is respectfully requested. Claims 3-7, 10-11, and 16-28 are pending in this application. Of these, claims 10, 16, and 25 are independent claims.

In the specification, this Amendment corrects a typographical error and amends the title as discussed in more detail below. In addition, this Amendment corrects a line number error in a Preliminary Amendment that erroneous indicates an amendment to the specification to be on page 5, line 9 and on page 5, line 10, but which instead should have been correctly stated as page 5, line 10 and page 5, line 11, respectively.

In the drawings, this Amendment adds "Related Art" to Figures 1-3 for the reasons discussed below.

In claims, the Preliminary Amendment mailed February 22, 2004 amended claim 4. This Amendment amends claims 3, 10-11, and 16-17, cancels claims 1-2, 8-9, and 12-15, and adds new claims 21-28. Support for these amendments is found in the Applicant's specification at page 9, line 21 through page 11, line 13, while referring to Figures 7-10.

### 1. Response To Objection To The Title

The Office Action on page 2 objects to the title as not being descriptive. In response thereto, Applicant has amended the title to more clearly set forth the aspects of Applicant's claimed invention discussed in detail below. Applicant therefore respectfully request withdrawal of the objection to the Title.

### 2. Response To Objection The Drawings

The Office Action on page 2 objects to the drawings (ref. MPEP 608.02(g)) with respect to Figures 1-3 and states that only that which is old is illustrated. Applicant respectfully traverses the objection and submits that Figures 1-3 pertain to the description of related art. Applicant is not aware of any prior art publications as shown in Figures 1-3. Instead, Figures 1-3 are illustrated as they relate to the

present invention, and thus have been labeled in this Amendment with "Related Art." Accordingly, withdrawal of the objection to Figures 1-3 is respectfully requested.

3. Response to Rejection Of The Claims

The Office Action on pages 3-5 rejects claims 1-4, 8, 11-12, 15-16, and 20 under 35 USC 102(e) as being anticipated by Mancuso et al. U.S. 6,618,511 B1 (hereinafter referred to as "Mancuso"). Also, the Office Action on pages 6-9 rejects claims 5-7, 13, and 17-19 under 35 USC 103(a) as being unpatentable over Mancuso in view of Herman et al. U.S. Patent No. 6,075,905 (hereinafter referred to as "Herman"). Further, the Office Action on pages 9-11 rejects claims 9-10 and 14 under 35 USC 103(a) as being unpatentable over Mancuso in view of Hirai et al. U.S. Patent No. 5,557,366 (hereinafter referred to as "Hirai").

In response thereto, Applicant amends the claims as set forth above to more clearly set forth and claim what is believed to be Applicant's invention. In particular, Applicant amends independent claims 10, 16, and 25 to incorporate limitations that were defined in claims 1, 2, and 10. In particular, these amendments set forth an apparatus and method in claims 10, 16, and 25, in which a composite image is produced from plural image segments of an object scene with regions of varied focus and magnification.

With specific reference to the rejection of claim 10 set forth on page 10 of the Office Action, Applicant respectfully submits that the combination of Mancuso and Hirai fails to appreciate the problem addressed and solved by Applicant's claimed invention, namely the problem of reduced focus and resolution resulting from perspective distortion when acquiring a plurality of images of an object at different focus distances and at relatively distant portions of the object (see Applicant's Summary).

In particular, while as the Office Action acknowledges on page 9 that Mancuso fails to disclose a variable zoom mechanism, Harai discloses a strobe control device for controlling a strobe to emit an appropriate amount of light. Harai read together with Mancuso fail to provide any suggestion or motivation to solve the problem addressed by Applicant. That is, the combination of Harai and Mancuso do not provide any desirability of providing an image compositor for composing a

perspective corrected image of an object of plural image segments captured with varied focus and magnification, as claimed by Applicant.

More specifically as disclosed on page 1, lines 6-11 of Applicant's specification, Applicant's invention is especially suitable for use with document cameras for capturing digital images of documents, for example, for storage, or for processing by optical character recognition (OCR). In contrast, both Harai and Mancuso fail to appreciate Applicant's method and apparatus for performing image composition in the field of document image capture. This point is supported by Mancuso's described field of the invention which "broadly relates to image processing in a digital camera for taking panoramic pictures" (see Mancuso column 1, lines 33-35).

Accordingly, Applicant respectfully submits that independent claims 10, 16, and 25 as amended are patentably distinguishable over Mancuso taken singly or in combination with Harai and/or Herman (which is cited in the Office Action related to elements in Applicant's dependent claims concerning image quality analysis of a captured region). Insofar as claims 3-7, 11, 17-24, and 26-28 are concerned, these claims depend from one of now presumably allowable independent claims 10, 16, or 25 and are also believed to be in allowable condition.

#### 4. Conclusion

In view of the foregoing remarks, reconsideration of this application and allowance thereof are earnestly solicited. In the event the Examiner considers a personal contact advantageous to the disposition of this case, the Examiner is hereby requested to call Attorney for Applicant(s), Thomas Zell.

Respectfully submitted,

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**APPENDIX**

**5 Replacement Sheets Follow:**